

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ABRAHAM B. MCFADDEN)	
)	
Plaintiff,)	
)	
v.)	1:14CV664
)	
MS. NICHOLSON,)	
)	
Defendant.)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) [Doc. #41] and, on March 13, 2017, was served on the parties in this action. Plaintiff filed a letter document which appears to be an objection to the Recommendation.¹ [Doc. #43.]

The Court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's recommendation.

¹ After objecting to the Recommendation, McFadden filed a document entitled "Motion – Affidavit" asking the Court or Prisoner Legal Services to help him obtain a writ of execution. [Doc. #44.] He has since been released from state custody. (See Notice [Doc. #45]). To the extent it may be applicable, information on a writ of execution is available on the Court's website.

IT IS THEREFORE ORDERED that Plaintiff's motion for default judgment [Doc. #22] is **GRANTED IN PART**, such that default judgment is entered against Defendant Nicholson and Plaintiff is awarded \$500.00 for damages incurred by Defendant. As to any other relief, **IT IS HEREBY ORDERED** that the motion is **DENIED**. **IT IS FURTHER ORDERED** that Plaintiff's motion for default judgment [Doc. #23] is **DENIED AS MOOT**. A judgment dismissing this action will be entered contemporaneously with this Order.

This the 21st day of July, 2020.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge